



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

West Desert District Office  
2370 South Decker Lake Blvd.  
West Valley City, UT 84119  
ph: (801) 977-4300; Fax: (801) 977-4397  
[www.ut.blm.gov/saltlake\\_fo](http://www.ut.blm.gov/saltlake_fo)



In Reply Refer To:  
3809 (UTW011)  
UTU-91077

APR 30 2015

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DIV. OF OIL, GAS & MINING

### DECISION

Jon Rush	:	Surface Management
Gold Rush Metals LLC	:	
PO Box 114	:	
Orderville, UT 84758	:	

### DETERMINATION OF REQUIRED FINANCIAL GUARANTEE AMOUNT

The Bureau of Land Management (BLM) Salt Lake Field Office (SLFO) has reviewed the Notice to conduct exploration drilling (Notice) from Gold Rush Metals LLC (GRM) for the Fraction Exploration Project located in Tooele County, Utah, and determined that it is complete, containing all the information required by the surface management regulations at 43 CFR 3809.301. The BLM has reviewed the proposed operation and determined it is adequate to prevent unnecessary or undue degradation as defined by 43 CFR 3809.5.

Amount of Financial Guarantee - This office has reviewed GRM's reclamation cost estimate for this project and determined, in concurrence with the Utah Division of Oil Gas and Mining (UDOGM), that the required financial guarantee amount of **\$16,900.00** is sufficient to meet all anticipated reclamation requirements for the portion of the Fraction Exploration project on BLM managed public lands. The amount of the reclamation cost estimate is based on the operator complying with all applicable operating and reclamation requirements as outlined in the Notice and the regulations at 43 CFR 3809.420.

Line items in the approved reclamation cost estimate are not to be considered as the limits of the reclamation expenditures should forfeiture of the financial guarantee be necessary. The line items are solely for the purpose of arriving at a total amount for the financial guarantee. This amount may be spent as the BLM and the UDOGM deem necessary to implement the approved reclamation plan. The financial guarantee amount does not represent reclamation liability limits or constraints should the actual cost of reclamation exceed this amount.

Required Financial Guarantee - The financial guarantee in the amount of \$16,900.00 must be submitted to and accepted by the UDOGM. You must receive written notification from

UDOGM accepting and obligating your financial guarantee before you begin any surface-disturbing operations.

The BLM's review of your proposed operations, determination that your Notice is complete, finding that the activity will not cause unnecessary or undue degradation, and decision concerning the amount of the required financial guarantee does not relieve you, the operator, of the responsibility to comply with all applicable Federal, state, and local laws, regulations, and permit requirements. You are responsible for preventing any unnecessary or undue degradation and for reclaiming all lands disturbed by your operations.

This decision does not constitute certification of ownership to any entity named in the Notice, recognition of the validity of any associated mining claims, or recognition of the economic feasibility of the proposed operations.

Term of Notice - Your Notice will remain in effect for two years from the date of this decision, unless you notify this office beforehand that operations have ceased and reclamation is complete. If you wish to conduct operations for another 2 years after the expiration date of your Notice, you must notify this office in writing on or before the expiration date as required by 43 CFR 3809.333. You will also have to submit an updated reclamation cost estimate at that time.

#### Appeal of a Decision under 43 CFR 3809

If you are adversely affected by this decision, you may request that the BLM Utah State Director review this decision. If you request a State Director Review, the request must be received in the BLM Utah State Office at 440 West 200 South, #500, Salt Lake City, Utah 84145-0155, no later than 30 calendar days after you receive this decision. The request for State Director Review must be filed in accordance with the provisions in 43 CFR 3809.805. This decision will remain in effect while the State Director Review is pending, unless a stay is granted by the State Director. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

If the State Director does not make a decision on your request for review of this decision within 21 days of receipt of the request, you should consider the request declined and you may appeal this decision to the Interior Board of Land Appeals (IBLA). You may contact the BLM Utah State Office to determine when the BLM received the request for State Director Review. You have 30 days from the end of the 21-day period in which to file your Notice of Appeal with the Salt Lake Field Office, located at 2370 South Decker Lake Blvd., West Valley City, Utah, 84119 which we will forward to IBLA.

If you wish to bypass a State Director Review, this decision may be appealed directly to the IBLA in accordance with the regulations at 43 CFR 3809.801(a)(1). Your Notice of Appeal must be filed in this office at 2370 South Decker Lake Blvd., West Valley City, Utah, 84119 within 30 days from receipt of this decision. As the appellant you have the burden of showing that the decision appealed from is in error. Enclosed is BLM Form 1842-1 that contains information on taking appeals to the IBLA.

This decision will remain in effect while the IBLA reviews the case, unless a stay is granted by the IBLA. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

#### Request for a Stay

If you wish to file a petition pursuant to regulations 43 CFR 4.21 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by Interior Board of Land Appeals (IBLA), the petition for a stay must accompany your Notice of Appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of this Notice of Appeal and petition for a stay must also be submitted to each party named in the decision and to the IBLA and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

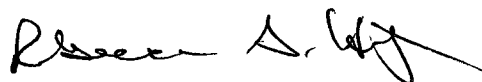
#### Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal must show sufficient justification based on the following standards:

1. The relative harm to parties if the stay is granted or denied.
2. The likelihood of the appellant's success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted.
4. Whether the public interest favors granting the stay.

If you have any questions, or require additional information, please contact Larry Garahana of my staff at (801) 977-4371.

Sincerely,



Rebecca A. Hotze  
Field Manager

Enclosure: Form 1842-1 Information on taking appeals to the IBLA

cc: UDOGM

Leslie Heppler

1594 West, North Temple, Ste. 1210#

Box 14580, SLC, UT 84114-5801

UT923 - Opie Abeyta